

REMARKS

Claims 2-14 and 17-20 were pending when last examined. Claims 2, 4-8, 10, 12, 14, 17, and 18 stand rejected and claims 3, 9, 11, 13, 16, 19, and 20 stand objected to. Applicant believes that all rejections and objections are addressed below and the pending claims are now in condition for allowance.

Information Disclosure Statement

Some of the references cited in the Information Disclosure Statement of October 27, 2003 were not considered because they were not in the English language and not accompanied by an explanation of their relevance. It turns out that the “references” that were not considered are actually not references but rather, comments regarding some of the documents that were cited in the German examination report of July 21, 2003. As the German examination report was considered and initialed by the Examiner, Applicant believes the Information Disclosure Statement was properly considered.

Claim Objections

Claims 3, 9, 11, 13, and 16 are objected to for being neither presented nor canceled. Claims 3, 9, and 11 are hereby presented and claim 16 is canceled. As for claim 13, it was presented in the Response filed on September 22, 2003 and also in the Response filed on February 13, 2003.

Claim Rejections – 35 U.S.C. § 112

Claim 14 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the rejection stated that the phrase “ergonomically advantageous” is not properly defined. The phrase is deleted. The deletion is made in the interest of expediting prosecution and is not an admission regarding the patentability of the subject matter recited in claim 14.

Double Patenting

Claims 2, 4-8, 10, 12, 14, 17, and 18 are rejected under the judicially created doctrine of obviousness-type double patenting as not being patentably distinguishable from claims 1, 24, 27, 28, 31-36, 38, 42, and 44 of U.S. Patent No. 6,602,037. The terminal disclaimer filed herewith overcomes the Double Patenting rejection.

Claims 19 and 20

No explanation was provided for the objections against claims 19 and 20. Applicant took the liberty to assume that claims 19 and 20 were objected to for depending from claim 14, which was rejected under 35 U.S.C. § 112. If the assumption is correct, the amendment to claim 14 should overcome the objections against claims 19 and 20.

Conclusion

For the foregoing reasons, Applicant believes that Claims 2-14 and 17-20 are now in condition for allowance. If the Examiner has any questions, please contact the undersigned attorney at (650) 833-2121.

Respectfully submitted,

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